

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

| | | |
|---------------------------------------|---|---------------------------------------|
| ALVERENE BUTLER,, |) | |
| |) | |
| Plaintiff, |) | |
| v. |) | |
| |) | CASE NO. 2:06-cv-00278-MEF-CSC |
| ALABAMA DEPARTMENT OF |) | |
| TRANSPORTATION, <i>et al.</i>, |) | |
| |) | |
| Defendants. |) | |

**DEFENDANTS' EVIDENTIARY MATERIALS IN SUPPORT
OF SUMMARY JUDGMENT**

Defendants Alabama Department of Transportation, Joe McInnes, Mark T. Waits, and Patrick T. Jackson hereby file with this Court their Evidentiary Materials in Support of Summary Judgment. Defendants file contemporaneously herewith their Motion for Summary Support of Summary Judgment and Memorandum Brief in Support of Summary Judgment.

EXHIBIT:

- A.** Deposition of Alverene Butler
- B.** Deposition of Mark Waits
- C.** Deposition of Karen Stacey
- D.** Deposition of Todd Jackson
- E.** Form 4- Provisional Appointment form dated June 23, 1994
- F.** Notice of Permanent Status
- G.** Departmental Appointment Notification dated January 7, 1994
- H.** Correspondence of October 8, 2004, to Tommy Flowers from L. Daniel Morris
- I.** Alabama Uniform Traffic Accident Report (#00789)
- J.** Correspondence of November 8, 2005 from Lucy H. Holcombe to Alverene Butler

- K.** Correspondence of August 31, 2005 from Jacqueline J. Lohman to Alverene Butler
- L.** Application for Retirement
- M.** Report of Disability, Part II Applicant Authorization
- N.** Report of Disability, Part I Statement By Examining Physician
- O.** Employee's Retirement System of Alabama; Report of the Medical Board dated November 1, 2005.
- P.** Grievance Hearing Result-Docket Number 876; Complainant Alverene Butler
- Q.** Letter of Reprimand dated April 13, 2005 to Alverene Butler from Patrick Todd Jackson
- R.** Letter of December 30, 2004, to Congressman Terry Everett from L. Daniel Morris, Jr.
- S.** Affidavit of Steve Dukes
- T.** Affidavit of Mark T. Waits
- U.** Investigative Determination, Docket No. REY 954
- V.** Order of Dismissal-Docket Number 954
- W.** Violence Workplace Report dated October 5, 2005
- X.** Memorandum of August 29, 2005, from Mark Waits to Todd Jackson, "RE: Leave Approval/Disapproval Procedures" and attachments
- Y.** Memo of August 29, 2005, from Todd Jackson to "Project Personnel" and attachments
- Z.** Leave Accrual Correction Form
- AA.** Charge of Discrimination, Charge No. 130-2005-04330
- BB.** Dismissal and Notice of Rights, Charge No. 130-2005-04330

CC. Charge of Discrimination, Charge No. 130-2005-05221

DD. Dismissal and Notice of Rights, Charge No. 130-2005-05221

RESPECTFULLY SUBMITTED
TROY KING
ATTORNEY GENERAL

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CERTIFICATE OF SERVICE

I hereby certify that, on January 29, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECT system, which will send notification to the following:

Mr. Jay Lewis, Esq.
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